

North Coast Regional Water Quality Control Board
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403
(707) 576-2220

Notice of Public Hearing

To

Consider Adoption of Order No. R1-2009-0034
to Rescind Waste Discharge Requirements Order No. R1-2004-0012
and Monitoring and Reporting Program Order No. R1-2006-0079

for

Exchange Bank Data Center
330 Sebastopol Road
Santa Rosa, California

Sonoma County

On the basis of preliminary staff review and application of lawful standards and regulations, the California Regional Water Quality Control Board, North Coast Region (Regional Water Board), proposes to adopt Order No. R1-2009-0034 (Rescission Order), rescinding Waste Discharge Requirements Order No. R1-2004-0012 and Monitoring and Reporting Program R1-2006-0079 for the Exchange Bank Data Center, 330 Sebastopol Road, Santa Rosa, California.

On March 24, 2004, the Regional Water Board adopted Waste Discharge Requirements (WDR), Order No. R1-2004-0012 requiring the Exchange Bank Data Center to comply with discharge prohibitions and effluent limitations for the in-situ treatment of contaminated groundwater at the Exchange Bank facility located at 330 Sebastopol Road, Santa Rosa, California (hereinafter "Site"). Order No. R1-2004-0012 also requires compliance with Contingency Planning and Notification Requirements Order No. 74-151 and Monitoring and Reporting Program (M&RP) No. R1-2004-0012. M&RP No. R1-2004-0012 was replaced on July 12, 2006 by M&RP No. R1-2006-0079.

All Regional Water Board investigative and corrective action requirements have been completed and the Site has been approved for no further action. Because remedial activities conducted under Order No. R1-2004-0012 are no longer required enrollment under Order No. R1-2004-0012 and the corresponding M&RP Order No. R1-2006-0079 should be rescinded.

Public Hearing Procedures

The public meeting to consider the proposed Rescission Order has been scheduled for June 4, 2009, in Santa Rosa at 8:30 a.m. or as announced in the Regional Water Board's agenda to be mailed on or around May 13, 2009. The meeting will be held at the Regional Water Board's office located at 5550 Skylane Blvd, Suite A, in Santa Rosa. At the hearing, the Regional Water Board will consider whether to affirm, reject, or modify the proposed Rescission Order, or take another action.

In order for the Regional Water Board to consider any evidentiary material concerning this hearing, any documents, including written technical reports and other evidentiary material, must be received by the Regional Water Board no later than 5:00 p.m., on **May 7, 2009**, at 5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403. This written material will be submitted to the Regional Water Board member and all interested persons along with the full agenda materials.

Written material received after the above date will not be accepted except at the discretion of the Regional Water Board Chair. Untimely written material will not be accepted or incorporated into the administrative record if doing so would prejudice the Discharger or the Regional Water Board staff. The Chair may choose to modify this rule upon a showing of severe hardship (California Code of Regulations, Title 23, Sections 648.1 and 648.4).

All those who plan to testify at the hearing must submit written statements to the Regional Water Board by May 29, 2009. The statements should provide the name of the witness, their qualifications (if an expert), and the scope of their intended testimony. Testimony at the above-scheduled hearing may summarize or explain timely submitted or late accepted written evidence, but shall not add new evidence. The time constraints for oral testimony or comments will be set by the Regional Water Board Chair and usually allow no more than 15 minutes for Regional Water Board staff and the Discharger and three minutes for other interested persons. A timer may be used and speakers are expected to honor the time limits. Where speakers can be grouped by affiliation or interest, such groups will be expected to select a spokesperson and not be repetitive.

Document Review

The tentative Order, related documents and comments received are on file and may be inspected or copied at the Regional Water Board office during normal business hours or viewed at:

http://www.waterboards.ca.gov/northcoast/board_decisions/tentative_orders/

Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220. For further information, please contact Regional Water Board staff member Colleen Hunt at (707) 576-2831 or at chhunt@waterboards.ca.gov.

Catherine Kuhlman
Executive Officer

April 7, 2009